REMARKS

The outstanding final Office Action mailed April 22, 2005 has been carefully considered. Claims 27-54 are now pending in the present application. Claims 27, 31, 33, 47, 53, and 54 have been amended. It is believed that the amendments to the claims do not add new matter. Reconsideration and allowance of the application and presently pending claims, as amended, are respectfully requested.

I. Present Status of Patent Application

Claims 53-54 are rejected under 35 U.S.C. §102(e) as being allegedly anticipated by Welsh (U.S. Pat. No. 4,829,558). Claims 27-32 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Reiter *et al.* (U.S. Pat. No. 4,751,578). Claims 33, 39-40, and 43 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Kirschner (U.S. Pat. No. 4,253,157). Claim 46 is rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Kirschner (U.S. Pat. No. 4,253,157) in view of Reiter *et al.* (U.S. Pat. No. 4,751,57). Claims 34-36, 38, 41, 44-45, and 47-52 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Kirschner (U.S. Pat. No. 4,253,157) in view of Iwashita (U.S. Pat. No. 4,928,168). Claims 37 and 42 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Kirschner (U.S. Pat. No. 4,253,157) in view of Couch (U.S. Pat. No. 4,752,876). To the extent that these rejections have not been rendered moot by the cancellation of claims, they are respectfully traversed.

III. Rejections Under 35 U.S.C. §102(b)

A. Claim 53

The Office Action rejects claim 53 under 35 U.S.C. §102(e) as allegedly being anticipated by Welsh (U.S. Pat. No. 4,829,558). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 53 as amended recites:

55. A method of providing services to guests of a subscriber of an interactive entertainment system, the method comprising the steps of:

providing a plurality of two-way terminals;

generating at the premises of a subscriber a screen for display on a television, wherein the screen relates to information about services provided by the subscriber of the interactive entertainment system;

saving the screen to memory on one of the plurality of two-way terminals;

determining whether the screen saved into memory is directly accessible or accessible only through other screens;

if the screen saved into memory is only accessible through other screens, indicating that the screen of the plurality of screens saved into memory is not to be deleted from memory; and

receiving a selection from a guest.

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988).

Applicant respectfully submits that independent claim 53 as amended is allowable for at least the reason that *Welsh* does not disclose, teach, or suggest at least **if the screen saved into memory is only accessible through other screens, indicating that the screen of the plurality of screens saved into memory is not to be deleted from**

memory. Therefore, *Welsh* does not anticipate independent claim 53, and the rejection should be withdrawn.

B. Claim 54

The Office Action rejects claim 54 under 35 U.S.C. §102(e) as allegedly being anticipated by Welsh (U.S. Pat. No. 4,829,558). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 54 as amended recites:

56. A system for providing services to guests of a subscriber of an interactive entertainment system, the system comprising:

means for receiving content provided by the interactive entertainment system;

means for distributing the received content to terminals located at the premises of the subscriber;

means for generating screens of information related to services provided by the subscriber of the interactive entertainment system;

means for saving the screens to memory on a terminal located at the premises of a subscriber;

means for determining whether the screen saved into memory is directly accessible or accessible only through other screens;

means for indicating that, if the screen saved into memory is only accessible through other screens, the screen saved into memory is not to be deleted from memory; and

means for receiving a request for a service by a guest.

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 54 as amended is allowable for at least the reason that *Welsh* does not disclose, teach, or suggest at least **means for indicating that, if the screen saved into memory is only accessible through other screens, the screen**

saved into memory is not to be deleted from memory. Therefore, *Welsh* does not anticipate independent claim 54, and the rejection should be withdrawn.

IV. Rejections Under 35 U.S.C. §103(a)

A. Claims 27-30

The Office Action rejects claims 27-30 under 35 U.S.C. §103(a) as allegedly being unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Reiter *et al.* (U.S. Pat. No. 4,751,578). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 27 as amended recites:

27. A method for use in an interactive television system, the interactive television system including a system manager coupled to a plurality of subscriber terminals, comprising the steps of:

receiving a first user input at a subscriber terminal indicating a choice for one of a video signal and first operation data, wherein the first operation data includes a plurality of screens;

generating a screen of first operation data responsive to a command, wherein the screen of operation data is generated by a local screen character generator;

saving a screen of the plurality of screens to memory;

determining whether the screen of the plurality of screens saved into memory is directly accessible or accessible only through other screens;

if the screen of the plurality of screens saved into memory is only accessible through other screens, indicating that the screen of the plurality of screens saved into memory is not to be deleted from memory; and

displaying at least one of the video signal and the screen of the first operation data according to the user input, wherein the first operation data is stored in at least one of a screen generator coupled to the system manager and subscriber terminal memory.

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., In re Dow Chemical.*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). Applicant respectfully submits that independent claim 27 is allowable for at least the reason that the combination of *Welsh* and *Reiter* does not disclose, teach, or suggest at least **if the screen of the plurality of screens saved into memory is only accessible through other screens, indicating that the screen of the plurality of screens saved into memory is not to be deleted from memory**. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 27 is allowable.

Because independent claim 27 is allowable over the cited art of record, dependent claims 28-30 (which depend from independent claim 27) are allowable as a matter of law for at least the reason that dependent claims 28-30 contain all the steps/features of independent claim 27. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection to claims 28-30 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 27, dependent claims 28-30 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 28-30 are allowable.

B. Claims 31-32

The Office Action rejects claims 31-32 under 35 U.S.C. §103(a) as allegedly being unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Reiter *et al.* (U.S. Pat. No. 4,751,578). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 31 as amended recites:

31. A local environment for providing interactive communications, the local environment comprising:

a system manager for storing information regarding a plurality of clients, each client associated with a terminal located in the local environment;

a local screen generator for generating a screen of information responsive to receiving a command;

memory for saving the screen of information; and

a plurality of terminals coupled to the system manager, each terminal for receiving at least one of a video signal and first operation data, wherein when the first operation data is chosen, the terminal displays a feature start screen and the video signal and stores a plurality of screens associated with the first operation data;

wherein the system manager is configured to save the screen into memory and to determine whether the screen of information is directly accessible or accessible only through other screens; and

wherein the system manager is further configured to indicate that the screen of information saved into memory is not to be deleted from memory if the screen of information saved into memory is only accessible through other screens.

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 31 is allowable for at least the reason that the combination of *Welsh* and *Reiter* does not disclose, teach, or suggest at least **wherein the system manager is further configured to indicate that the screen of information saved into memory is not to be deleted from memory if the screen of information saved into memory is only accessible through other screens**. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 31 is allowable.

Because independent claim 31 is allowable over the cited art of record, dependent claims 32 (which depend from independent claim 31) are allowable as a matter of law for at least the reason that dependent claims 32 contain all the steps/features of independent claim 31. Therefore, the rejection to claims 32 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 31, dependent claims 32 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 32 are allowable.

C. Claims 33-46

The Office Action rejects claims 33, 39-40, and 43 under 35 U.S.C. §103(a) as allegedly being unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Kirschner (U.S. Pat. No. 4,253,157). The Office Action rejects claims 34-36, 38, 41, and 44-45 under 35 U.S.C. §103(a) as being allegedly unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Kirschner (U.S. Pat. No. 4,253,157) in view of Iwashita (U.S. Pat. No. 4,928,168). The Office Action rejects claims 37 and 42 under 35 U.S.C. §103(a) as being allegedly unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Kirschner (U.S. Pat. No. 4,253,157) in view of Couch (U.S. Pat. No. 4,752,876). The Office Action rejects claim 46 under 35 U.S.C. §103(a) as being allegedly unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Kirschner (U.S. Pat. No. 4,253,157) in view of Reiter *et al.* (U.S. Pat. No. 4,751,578). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 33 as amended recites:

33. A method of providing services to a patron of a subscriber of an interactive entertainment system, the method comprising the steps of:

generating at the premises of a subscriber a screen of a menu for selecting services, wherein the screen is one of a plurality of screens included in the menu, and

wherein the services for selection are offered by at least one of the group consisting of an interactive entertainment system and a subscriber of the interactive entertainment system;

providing a terminal, the terminal adapted to receiver input from a guest and adapted to provide the screen to a display device;

instructing the terminal to save the screen of the plurality of screens to memory;

determining whether the screen of the plurality of screens saved into memory is directly accessible or accessible only through other screens;

if the screen of the plurality of screens saved into memory is only accessible through other screens, instructing the terminal to indicate that the screen of the plurality of screens saved into memory is not to be deleted from memory; and

receiving a selection from a guest.

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 33 is allowable for at least the reason that the combination of *Welsh* and *Kirschner* does not disclose, teach, or suggest at least **if the screen of the plurality of screens saved into memory is only accessible through other screens, instructing the terminal to indicate that the screen of the plurality of screens saved into memory is not to be deleted from memory**. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 33 is allowable.

Because independent claim 33 is allowable over the cited art of record, dependent claims 34-46 (which depend from independent claim 33) are allowable as a matter of law for at least the reason that dependent claims 34-46 contain all the steps/features of independent claim 33. Therefore, the rejection to claims 34-46 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 33, dependent claims 34-46 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently

distinct from the cited art of record. Hence there are other reasons why dependent claims 34-46 are allowable.

Additionally, with regard to the rejection of claim 33, *Iwashita, Couch,* and *Reiter* do not make up for the deficiencies of *Welsh* and *Kirschner* noted above. Therefore, claims 33-46 are considered patentable over any combination of these documents.

D. Claims 47-52

The Office Action rejects claims 47-52 under 35 U.S.C. §103(a) as allegedly being unpatentable over Welsh (U.S. Pat. No. 4,829,558) in view of Kirschner (U.S. Pat. No. 4,253,157) in view of Iwashita (U.S. Pat. No. 4,928,168). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 47 as amended recites:

47. A system for providing services to guests of a subscriber of an interactive entertainment system, the system comprising:

means for receiving content provided by the interactive entertainment system;

means for distributing the received content to terminals located at the premises of the subscriber;

means for generating screens of a menu for selecting services, wherein the menu includes a plurality of screens, and the services offered in the menu include services of the interactive entertainment system and services of the subscriber, wherein the screen generating means is located at the premises of the subscriber; and

means for instructing the screen generating means to save a screen of the plurality of screens to memory;

means for determining whether the screen of the plurality of screens saved into memory is directly accessible or accessible only through other screens;

means for instructing the terminal such that, if the screen of the plurality of screens saved into memory is only accessible through other screens, the terminal indicates that the screen of the plurality of screens saved into memory is not to be deleted from memory;

means for receiving a request for a service by a guest; and

means for managing the system, the managing means including means for billing the guest for selected services.

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., In re Dow Chemical.*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). Applicant respectfully submits that independent claim 47 is allowable for at least the reason that the combination of *Welsh, Kirschner,* and *Iwashita* does not disclose, teach, or suggest at least **means for instructing the terminal such that, if the screen of the plurality of screens saved into memory is only accessible through other screens, the terminal indicates that the screen of the plurality of screens saved into memory is not to be deleted from memory.** Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 47 is allowable.

Because independent claim 47 is allowable over the cited art of record, dependent claims 48-52 (which depend from independent claim 47) are allowable as a matter of law for at least the reason that dependent claims 48-52 contain all the steps/features of independent claim 47. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection to claims 48-52 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 47, dependent claims 48-52 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 48-52 are allowable.

V. Miscellaneous Issues

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 27-54 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

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